

Entered - 05/19/00 - sb  
CL00L0284 - DIANNE C. MITCHELL

00-12-1842

CLAIM OF: **JODY REED**  
**1790 Benningfield Drive**  
**Marietta, Georgia 30064**

For damages alleged to have been sustained as a result vehicular damage  
due to a rock thrown by a lawn mower on April 21, 2000 on Loop Road.

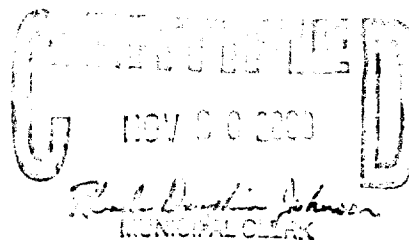
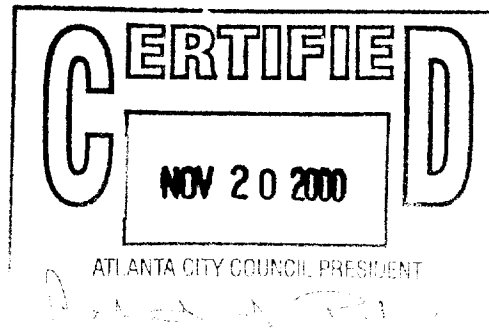
THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED BY NOV 20 2000  
CITY COUNCIL

REPORT  
Public Safety  
11/14/00  
V-CHC  
Celia W. Winters  
Michael R. [Signature]





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

November 28, 2000

Jody Reed  
1790 Benningfield Dr.  
Marietta, GA 30064

00-R-1842

Dear Ms. Reed:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 20, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0284

Date: October 23, 2000

Claimant /Victim JODY REED

BY: (Atty) (Ins.Co.) \_\_\_\_\_

Address: 1790 Benningfield Drive, Marietta, Georgia 30064

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 418.97 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 05/10/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/21/00 Place: Loop Road

Department Aviation Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** The claimant alleges her vehicle was damage when a rock from a lawn mower struck her window. The investigation determined that the City's contractor was mowing in the area at the time of this occurrence. The claim has been forwarded to the contractor, WWC Landscaping Maintenance for handling and the claimant has been advised of same.

### INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Others X Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

### RECOMMENDATION:

Pay \$ \_\_\_\_\_ (Adverse X) Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 10-23-00

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

Council President Pro Tem Starnes  
Presided

RCS# 2401  
11/20/00  
2:00 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-18

00-R-1849  
(Morris Voted NAY)

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
Y Starnes  
NV Bond  
Y Winslow

Y Dorsey  
Y Woolard  
Y Morris  
Y Muller

Y Moore  
Y Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
NV Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA

00-O-1111  
00-R-1693  
00-R-1694  
00-R-1695  
00-R-1696  
00-R-1697  
00-R-1804  
00-R-1835

CONSENT

		11/20/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1690 2. 00-O-1691 3. 00-O-1692 4. 00-O-1845 5. 00-O-1864 6. 00-O-0728 7. 00-R-1702 8. 00-R-1703 9. 00-R-1705 10. 00-R-1707 11. 00-R-1850 12. 00-R-1865 13. 00-R-1851 14. 00-R-1873 15. 00-R-1622 16. 00-R-1623 17. 00-R-1699 18. 00-R-1775* 19. 00-R-1776* 20. 00-R-1777* 21. 00-R-1782 22. 00-R-1687 23. 00-R-1668 24. 00-R-1786 25. 00-R-1789 26. 00-R-1799 27. 00-R-1800 28. 00-R-1813 29. 00-R-1814	30. 00-R-1815 31. 00-R-1849# 32. 00-R-1858 33. 00-R-1862 34. 00-R-1787* 35. 00-R-1790 36. 00-R-1791 37. 00-R-1794 38. 00-R-1798 39. 00-R-1861 40. 00-R-1686 41. 00-R-1843 42. 00-R-1869 43. 00-R-1870 44. 00-R-0973 45. 00-R-0816 46. 00-R-1803 47. 00-R-1805 48. 00-R-1806 49. 00-R-1807 50. 00-R-1808 51. 00-R-1809 52. 00-R-1810 53. 00-R-1811 54. 00-R-1812	55. 00-R-1816 56. 00-R-1817 57. 00-R-1818 58. 00-R-1819 59. 00-R-1820 60. 00-R-1821 61. 00-R-1822 62. 00-R-1823 63. 00-R-1824 64. 00-R-1825 65. 00-R-1826 66. 00-R-1827 67. 00-R-1828 68. 00-R-1829 69. 00-R-1830 70. 00-R-1831 71. 00-R-1832 72. 00-R-1833 73. 00-R-1834 74. 00-R-1836 75. 00-R-1837 76. 00-R-1838 77. 00-R-1839 78. 00-R-1840 79. 00-R-1841 80. 00-R-1842  * President Pitts recused himself.  # Lee Morris not voting.

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

## RE: CLAIM FOR DAMAGES

Today's Date: 5-8-00 05/17/00 *Mitchell*

05-10-00 14:55 IN

ENTERED - 5-19-00 - SB  
00L0284 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 418.97 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: April, 21, 00 2. Time of Incident: 4:00 3. Police called: Yes ☒ No

4. Location of incident (including street address): Entering South Terminal Atl. Hartsfield

5. Name of your insurance company: Allstate Policy No. 021891959

6. Date, what and how incident occurred: On April 21 at approximately 4:00 pm

I was entering atlanta Hartsfield Airport to greet a relative.  
While driving through the south Terminal I noticed lawn

maintenance workers mowing the lawn. As I was driving by, a  
rock flew from the mower and hit my right front door, shattering  
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL the  
RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION! wind or  
glad!

8. The registered owner must make the claim for vehicle damages, complete the following and attach estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Vehicle: VOLVO 850 96 394 PJP Jody Reed  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Jody Reed  
Signature of Claimant

Jody Reed  
(Print Claimant's Name)

1790 Benningfield Dr.  
(Address)

Marietta, Ga 30064  
(City, State and Zip Code)

770) 421-9100 770) 420-282  
(Work Number) (Home Number)

00- R-1842